

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 5458 of 2007

LAL SINGH
V/S
CIVIL JUDGE(J.D.) SIROHI & ORS.

Mr. MOTI SINGH, for the appellant / petitioner

Date of Order : 5.9.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner, perused the impugned order.

So far the order accepting the plaintiff's application under Order 7 Rule 14 is concerned, admittedly, issues have not been framed in the suit, as such, the plaintiff could file documents in the temporary injunction application, even without application under Order 7 Rule 14, as such, that part of the order need not detain me. Then so far the order impleading Gram Panchayat as party is concerned, the defendant cannot be said, to be in any manner aggrieved, thereby. The other parts of the order have not been challenged, as such, I do not find any ground to interfere with the impugned order. The writ petition is, therefore, dismissed summarily.

It is contended by learned counsel for the petitioner that in the garb of filing various applications, the temporary injunction application is not being heard on

merits by the learned trial Court, likewise the suit is also not being proceeded with under the garb of pendency of the application for temporary injunction. In my view, it would suffice if the learned trial Court is directed to decide the temporary injunction application on merits most expeditiously, and at the same time, to proceed with the trial of the suit as well. The learned trial Court is therefore directed accordingly.

(N P GUPTA), J.

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